



# Journal of the Senate

State of Indiana

114th General Assembly

Second Regular Session

Fourth Meeting Day

Wednesday Afternoon

January 11, 2006

The Senate convened at 1:08 p.m., with the President Pro Tempore of the Senate, Robert D. Garton, in the Chair.

The Senate Reader was directed to read the previously read section of the District Court's Order in *Hinrichs v. Bosma*, as set out in full in the Senate Journal of January 9, 2006.

Silent prayer followed the reading.

The Pledge of Allegiance to the Flag was led by the President Pro Tempore of the Senate.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Becker	Lubbers
Bowser	Lutz
Bray	Meeks
Breaux <input type="checkbox"/>	Merritt
Broden	Miller
Craycraft	Mishler
Delph	Mrvan
Dillon	Nugent
Drozda	Paul
Ford	Riegsecker
Gard	Rogers
Garton	Simpson
Harrison	Sipes
Heinold	Skinner
Hershman	Smith <input type="checkbox"/>
Howard	Steele
Hume	Tallian
Jackman	Waltz
Kenley	Waterman <input type="checkbox"/>
Kruse	Weatherwax <input type="checkbox"/>
Lanane <input type="checkbox"/>	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 4: present 45; excused 5. [Note: A ☐ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

## INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

### SB 361 — Ford (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

### SB 362 — Ford (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

### SB 363 — Ford (Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

### SB 364 — Waterman (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

### SB 365 — Kenley (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

### SB 366 — Breaux (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

### SB 367 — Jackman (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

### SB 368 — Becker (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

### SB 369 — R. Young (Energy and Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

### SB 370 — Kruse (Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

### SB 371 — Lutz (Ethics)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

### SB 372 — Mishler (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

### SB 373 — Mishler (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

### SB 374 — Mishler (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

### SB 375 — Mishler (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 376** — Dillon (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 377** — Tallian (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 378** — Tallian (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**SB 379** — Ford (Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**SB 380** — Zakas (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 381** — Rogers (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 382** — Becker (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 383** — Nugent (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**SB 384** — Paul (Insurance and Financial Institutions)

A BILL FOR AN ACT concerning financial institutions.

**SB 385** — Rogers (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**SB 386** — Howard (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 387** — Howard (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 388** — Lewis (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 389** — Lewis (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 390** — Hume (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 391** — Bowser (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

**SB 392** — Mrvan (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**SB 393** — Mrvan (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 394** — Breaux (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SJR 14** — Rogers (Judiciary)

A JOINT RESOLUTION proposing an amendment to Article 5 of the Constitution of the State of Indiana concerning appointments within the executive department.

## RESOLUTIONS ON FIRST READING

**Senate Concurrent Resolution 14**

Senate Concurrent Resolution 14, introduced by Senator Bray:

A CONCURRENT RESOLUTION urging the establishment of an interim study committee on appellate issues.

*Whereas, Due to the increased caseload of the appellate courts, the Indiana General Assembly should study the issues relating to the creation of a court of appeals for the sixth district; and*

*Whereas, An interim study committee should also consider the issues of the selection and retention of judges of the court of appeals and other issues relating to the court of appeals: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the legislative council is urged to establish a committee to study appellate issues.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council and shall issue a final report when directed to do so by the council.

The resolution was read in full and referred to the Committee on Rules and Legislative Procedure.

**Senate Concurrent Resolution 15**

Senate Concurrent Resolution 15, introduced by Senator Skinner:

A CONCURRENT RESOLUTION urging the establishment of an interim study committee to examine the need for homeschool guidelines.

*Whereas, Homeschooling is increasing in popularity; recent statistics indicate that as many as 2,000,000 children are homeschooled, roughly 2% of the school-aged population of our country;*

*Whereas, Homeschooling is legal in all 50 U.S. states, but the laws*

vary from state to state; and

*Whereas, Since it is likely that the number of homeschool children will continue to grow, it behooves the state of Indiana to study the possible need for some defined homeschooling guidelines: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the legislative council is urged to establish a committee to examine the need for establishing homeschool guidelines.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council and shall issue a final report when directed to do so by the council.

The resolution was read in full and referred to the Committee on Rules and Legislative Procedure.

### **Senate Resolution 3**

Senate Resolution 3, introduced by Senator Delph:

A SENATE RESOLUTION expressing the support of the Indiana Senate in encouraging clergy to pray according to the dictates of their conscience and thus ensuring religious liberty.

*Whereas, The Declaration of Independence states, "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness . . .";*

*Whereas, The First Amendment to the Constitution states that Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, the press, or the right of the people to peaceably assemble, and to petition the government for a redress of grievances;*

*Whereas, President Washington felt that it was the duty of all nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits, and to humbly implore His protection and favor;*

*Whereas, At the Constitutional Convention of 1787, Edmund Jennings Randolph moved "that a sermon be preached at the request of the Convention on the 4th of July, the anniversary of Independence; & thenceforward prayers be used in ye Convention every morning" and that prayers have opened both Houses of Congress ever since (Notes of Debates in the Federal Convention of 1787, pp. 210-211);*

*Whereas, Article 3 of the Northwest Ordinance of 1787, which helped to establish the government of Indiana, states that religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education, shall forever be encouraged and that it is the duty of all nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and*

*favor;*

*Whereas, The December 1, 1817 Journal of the Indiana House of Representatives notes that a committee was appointed to "wait on the Rev. B. Adams, and request him to attend in the Representative Chamber immediately and open the present session of the General Assembly, by solemn prayer" and "the Rev. B. Adams...came in, performed divine service, by solemn prayer and then withdrew";*

*Whereas, The delegates to the State Constitutional Revision Convention on October 8, 1850, adopted a resolution directing "that the Secretary confer with the Clergy of this city, and request them to make such arrangements among themselves, as that one of their number open the Convention each day with prayer";*

*Whereas, Throughout Indiana's history, the journals of the Senate and the House of Representatives demonstrate a solid connection between the people and their religious beliefs as evidenced by Governor Conrad Baker's State of the State address on January 10, 1873, in which he "invokes the choicest benedictions of the Good Father upon our beloved State now and at every step in her future progress";*

*Whereas, For many years the rules of the Senate and the House of Representatives have included prayer as an Order of Business (House Rule 10.2 and Senate Rule 5(a));*

*Whereas, President Ronald Reagan designated 1983 as the national "Year of the Bible" and stated that "Many of our great national leaders - among them Presidents Washington, Jackson, Lincoln, and Wilson - paid tribute to the surpassing influence of the Bible in our country's development, as in the words of President Jackson that the Bible is 'the Rock on which our Republic rests'";*

*Whereas, former Governor Evan Bayh declared November 20-26, 1994, as "Christian Heritage Week" and noted "Religious holidays, festivals, and celebrations add to the cultural mosaic of our state....Churches are a functional part of many communities in our state often providing charitable assistance to those in need....Thanksgiving week is a fitting time to enter attention on the religious heritage of our state" (Executive Proclamation dated April 18, 1994); and*

*Whereas, Governor Mitch Daniels has expressed his belief that the decree issued by Judge David Hamilton is "regrettable": Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana:*

SECTION 1. That it is contrary to the history and traditions of these United States and of the State of Indiana to have the federal government or other government authority dictate the content of prayer.

SECTION 2. That the Indiana Senate respects the rule of law and the Constitutions of these United States and of the State of Indiana.

SECTION 3. That the Indiana Senate supports the Speaker of the House in his efforts to take all legal measures to ensure that members

of the clergy and others who lead any house of the Indiana General Assembly in prayer should be able to pray according to the dictates of their conscience.

SECTION 4. That copies of this Resolution be transmitted by the Secretary of the Senate to the Speaker of the House of Representatives, the Governor of Indiana, the Attorney General of Indiana, and members of the Indiana Congressional delegation.

The resolution was read in full and referred to the Committee on Rules and Legislative Procedure.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 40, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BRAY, Chair

Report adopted.

### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 84, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 7, delete lines 15 through 23.

Page 7, line 24, delete "Sec. 14" and insert "**Sec. 13**".

Page 7, line 35, delete "Sec. 15" and insert "**Sec. 14**".

Page 9, line 7, delete "IC 33-23-14-15" and insert "**IC 33-23-14-14**".

(Reference is to SB 84 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BRAY, Chair

Report adopted.

### COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill 245, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation and to make an appropriation.

Page 3, delete lines 4 through 42.

Delete pages 4 through 18

Page 19, delete lines 1 through 26.

Page 21, line 32, after "(a)" insert "**This section does not apply to a corporation that has withdrawn from the jurisdiction of the commission under:**

(1) IC 8-1-13-18.5; or

(2) IC 8-1-17-22.5.

(b)".

Page 22, line 14, delete "(b)" and insert "**(c) This subsection does not apply to a communications service provider that is a corporation organized under IC 8-1-13 (or a corporation organized under IC 23-17-1 that is an electric cooperative and that has at least one (1) member that is a corporation organized under IC 8-1-13).**".

Page 22, line 25, delete "(c)" and insert "**(d)**".

Page 22, line 38, delete "(d)" and insert "**(e)**".

Page 22, line 40, delete "(a);" and insert "**(b);**".

Page 22, line 42, delete "(b);" and insert "**(c);**".

Page 23, line 2, delete "(c)," and insert "**(d),**".

Page 23, line 7, delete "(c)," and insert "**(d),**".

Page 23, line 12, delete "(e) Subject to subsection (g)," and insert "**(f) Subject to subsection (h),**".

Page 23, line 30, delete "(f)" and insert "**(g)**".

Page 23, line 31, delete "(e)" and insert "**(f)**".

Page 23, line 33, delete "(g)," and insert "**(h),**".

Page 24, line 5, delete "(e)" and insert "**(f)**".

Page 24, line 8, delete "(g)" and insert "**(h)**".

Page 24, line 9, after "not" insert ":

**(1)**".

Page 24, line 11, delete "." and insert "; **or**".

Page 24, between lines 11 and 12, begin a new line block indented and insert:

**"(2) require any person to comply with this section if the person is exempt from federal laws or regulations concerning rates and conditions for pole attachments or other connections to facilities."**

Page 25, between lines 27 and 28, begin a new paragraph and insert:

**"(c) The term does not include a functionally equivalent service provided by a person or an entity described in IC 8-1-2-1.1."**

Page 28, line 31, delete "has the meaning set forth in IC 8-1-35-1." and insert "**means a connection to the Internet that provides capacity for transmission at an average speed of at least one and one-half (1.5) megabits per second downstream and at least three hundred eighty-four (384) kilobits per second upstream, regardless of the technology or medium used to provide the connection. The term includes a connection to the Internet provided by wireless technology, copper wire, fiber optic cable, coaxial cable, broadband over power lines, or other facilities or future technologies. The term does not include any of the following:**

**(1) Value added services in which computer processing applications are used to act on the form, content, code, or protocol of any information transmitted.**

**(2) Value added services providing text, graphic, video, or audio program content for a purpose other than transmission.**

**(3) The transmission of video programming or other programming:**

**(A) provided by; or**

**(B) generally considered comparable to programming provided by;**

**a television broadcast station or a radio broadcast station, including cable TV, direct broadcast satellite, and digital television.**

**(4) A connection to the Internet provided through satellite technology."**

Page 30, line 21, after "area," insert **"at the average speeds set forth in subsection (a)."**

Page 32, line 12, delete "Notwithstanding:".

Page 32, delete lines 13 through 18.

Page 32, line 19, delete "(b)".

Page 32, run in lines 12 through 19.

Page 32, line 22, delete "or".

Page 32, line 24, after ";" insert **"or"**.

Page 32, between lines 24 and 25, begin a new line block indented and insert:

**"(3) the unbundled access of one (1) provider to the network elements of another provider for purposes of 47 U.S.C. 251(c)(3);"**

Page 32, line 28, delete "(c) Except as provided in subsection (a) and subject" and insert **"(b) Subject"**.

Page 33, line 2, delete "(d) Subject to subsection (a), if" and insert **"(c) If"**.

Page 37, line 17, delete "2004, except that:" and insert **"2004. However, a provider may do either of the following:"**.

Page 37, line 18, delete "the parties to a settlement agreement may renegotiate" and insert **"Renegotiate"**.

Page 37, line 20, delete ";" and insert **","**.

Page 37, line 21, delete "the commission shall allow a provider subject to a".

Page 37, line 22, delete "settlement agreement to increase" and insert **"Increase"**.

Page 38, line 36, delete "1.5(c)" and insert **"1.5(b)"**.

Page 39, line 37, delete "This" and insert **"The commission may revoke a certificate issued to a communications service provider under IC 8-1-32.5 if the communications service provider fails or refuses to report any information required by the commission under this subdivision. However, this"**.

Page 47, after line 42, begin a new paragraph and insert:

**"SECTION 40. IC 8-1-6-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2.5. (a) As used in this section, "communications service provider" refers to a communications service provider (as defined in IC 8-1-32.5-4) that has a certificate of territorial authority on file with the commission under IC 8-1-32.5.**

**(b) As used in this section, "division" refers to the division of consumer protection of the office of the attorney general created by IC 4-6-9-1.**

**(c) The communications service provider account is established in the state general fund to pay the expenses of:**

**(1) the commission in:**

**(A) performing any duties described in IC 8-1-2.6-13(d); and**

**(B) performing any other duties lawfully assigned to the commission under state or federal law with respect to communications service providers; and**

**(2) the division in performing any of the division's duties under IC 8-1-2.6-13(e).**

**The commission shall administer the account.**

**(d) The account consists of the following:**

**(1) Amounts appropriated by the general assembly under subsection (f).**

**(2) Any funds received from the federal government for the commission's use in performing any duties lawfully assigned to the commission with respect to communications service providers.**

**(e) All appropriations paid out of the account are subject to the prior approval of the general assembly, the governor, and the budget agency.**

**(f) There is annually appropriated to the commission and the division from the state general fund an amount not in excess of the respective annual expenses of the commission and the division described in subsection (c). The expenses described in subsection (c) shall be determined by totaling:**

**(1) the commission's annual budget with respect to communications service providers, as approved by the governor and the budget agency; and**

**(2) the division's annual budget with respect to communications service providers, as approved by the governor and the budget agency;**

**plus any amount approved by the governor and the budget agency to be used for contingencies.**

SECTION 41. IC 8-1-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. **(a)** The term "public utility", as used in this chapter, shall mean and embrace every corporation, company, cooperative organization of any kind, individual, association of individuals, their lessees, trustees, or receivers appointed by any court whatsoever that on or after March 15, 1969, may own, operate, manage, or control any plant or equipment within the state ~~for the conveyance of telegraph or telephone messages; or~~ for the production, transmission, delivery, or furnishing of heat, light, water, or power or for the collection, treatment, purification, and disposal in a sanitary manner of liquid and solid waste, sewage, night soil, and industrial waste, for service directly or indirectly to the public, but said term shall not include a municipality that may after March 14, 1969, acquire, own, or operate any of the foregoing facilities.

**(b)** The term "gross revenue", as used in this chapter, shall include all intrastate operating revenue received by a public utility ~~for the conveyance of telegraph or telephone messages or~~ for the production, transmission, delivery, or furnishing of heat, light, water, or power or for the collection, treatment, purification, or disposal in any sanitary manner of liquid or solid waste, sewage, night soil, and industrial waste for service directly or indirectly to the public. Provided, however, that such term shall not include revenue derived by a public utility in the sale of public utility services, products, or commodities to another public or municipal utility for resale by the latter."

Page 73, between lines 29 and 30, begin a new line double block indented and insert:

**"(F) That the provider agrees to report, at the times required by the commission, any information required by the commission under IC 8-1-2.6-13(d)(9)."**

Page 73, line 39, after "effect." insert **"For purposes of this subsection, if a corporation organized under IC 8-1-13 (or a corporation organized under IC 23-17-1 that is an electric cooperative and that has at least one (1) member that is a corporation organized under IC 8-1-13) holds a certificate of public convenience and necessity issued by the commission**

**before, on, or after July 1, 2009, that certificate may serve as the certificate required under this chapter with respect to any communications service offered by the corporation, subject to the commission's right to require the corporation to provide any information that an applicant is otherwise required to submit under subsection (a) or that a holder is required to report under IC 8-1-2.6-13(d)(9)."**

Page 80, line 17, delete "communications service provider account established by" and insert **"state general fund."**

Page 80, delete line 18.

Page 84, between lines 24 and 25, begin a new paragraph and insert:

**"(c) The commission may charge a fee for filing an application under this section. Any fee charged by the commission under this subsection may not exceed the commission's actual costs to process and review the application under section 17 of this chapter."**

Page 96, line 32, after ";" insert **"and"**.

Page 96, line 34, delete ";" and insert **"."**.

Page 96, delete lines 35 through 36.

Page 99, line 25, delete "is not a person" and insert **"are not at least two (2) persons"**.

Page 99, line 26, delete "provides" and insert **"provide"**.

Page 99, line 28, delete "intends" and insert **"intend"**.

Page 100, line 32, delete "is not a person" and insert **"are not at least two (2) persons"**.

Page 100, line 33, delete "provides" and insert **"provide"**.

Page 100, line 35, delete "intends" and insert **"intend"**.

Page 101, line 15, delete "is not a" and insert **"are not at least two (2) persons that"**.

Page 101, line 16, delete "person that provides or intends" and insert **"provide or intend"**.

Page 101, line 19, delete "does not receive a" and insert **"receives one (1) or no"**.

Page 101, line 20, delete "response" and insert **"responses"**.

Page 101, line 24, delete "one (1)" and insert **"two (2)"**.

Page 101, line 25, delete "indicates" and insert **"indicate"**.

Page 101, line 28, after "that" insert **"one (1) or"**.

Page 101, line 31, delete "one (1)" and insert **"two (2)"**.

Page 101, line 32, delete "indicates" and insert **"indicate"**.

Page 101, line 37, after "that" insert **"one (1) or"**.

Page 103, line 42, after "company" insert **";"**.

Page 103, line 42, strike "(as defined in IC 8-1-2-88".

Page 103, line 42, delete "(before its".

Page 104, delete line 1.

Page 106, line 24, delete "IC 8-1-2.6-1.5(c)," and insert **"IC 8-1-2.6-1.5(b),"**.

Renumber all SECTIONS consecutively.

(Reference is to SB 245 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 2.

WYSS, Chair

Report adopted.

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1040 and 1134 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed the following motion:

"I move that Representatives Foley, Ulmer, Pierce, and Van Haaften appointed by the Speaker of the House of Representatives, to act with a like committee of the Senate to wait upon the Chief Justice and to escort him to the Chamber of the House of Representatives to deliver his message to the General Assembly."

M. CAROLINE SPOTTS  
Principal Clerk of the House

## SENATE MOTION

Madam President: I move that Senator Craycraft be added as coauthor of Senate Bill 3.

DROZDA

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Kruse be added as second author and Senators Long, Drozda, Steele, and Hershman be added as coauthors of Senate Resolution 3.

DELPH

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 165.

BECKER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 254.

BECKER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Broden, Lawson, and Breaux be added as coauthors of Senate Bill 111.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hume be added as second author of Senate Bill 365.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Heinold be added as coauthor of Senate Bill 245.

HERSHMAN

Motion prevailed.

1:24 p.m.

The Chair declared a recess until 7:00 p.m.

**Recess**

(The message of Governor Mitchell E. Daniels, Jr., is recorded in the House Journal.)

The Senate reconvened at 7:37 p.m., with Senator Garton in the Chair.

SENATE MOTION

Madam President: I move we adjourn until 1:00 p.m., Thursday, January 12, 2006.

HARRISON

Motion prevailed.

The Senate adjourned at 7:44 p.m.

MARY C. MENDEL  
Secretary of the Senate

REBECCA S. SKILLMAN  
President of the Senate